

REMARKS/ARGUMENTS

Claims 36, 39-41, 43-46, 49-50, and 52-60 are active. Support for the above amendments is found in the claims as originally filed and in the several samples described in the specification. No new matter has been entered.

The rejection over Japan '725 is traversed. Japan '725's disclosure of 0.5 atom % is an amount above the claimed limitation in, e.g., Claim 36 of 0.4 atom % of bismuth. While the Examiner has taken the position that the amounts suggested by the reference are actually lower than the stated value because the stated value represents a total amount of possibly more than one element, the reference itself does not agree with this interpretation. See, e.g., the Examples where, when two or more of the listed "M" elements are present, they are each present in an amount of 0.5 atom % or more.

Moreover, the claims have been amended to describe the alloys as "consisting essentially of" the noted elements. Thus, even if the above interpretation was correct, which Applicants submit it is not, the reference would not disclose or suggest what is now claimed: e.g., a silver base alloy that consists essentially of silver and 0.005 to 0.4 atom % of bismuth or a silver base alloy that consists essentially of silver, 0.005 to 0.4 atom % of bismuth, and 0.01 to 2 atom % in total amount of at least one rare earth metal element. The secondary references cited against those claims including a rare earth metal do not make up for that lacking in Japan '725.

With regard to the several double patenting rejections, attached hereto is a Terminal Disclaimer over the copending applications. Applicants disagree with the double patenting rejections, especially in light of the above claim amendments, but have filed the Terminal Disclaimer in order to obtain a patent quickly. *Ortho Pharmaceutical Corp. v. Smith* 22

Application No. 10/633,550

Reply to Office Action of October 19, 2006

USPQ2d 1119 (Fed. Cir. 1992), *Quad Envtl. Technologies Corp. v. Union Sanitary Dist.*,

946 F.2d 870, 874, 20 USPQ2d 1392, 1394-95 (Fed. Cir. 1991).

Because nothing in any cited reference, or any combination thereof, discloses or suggests the claims as now amended Applicants request the reconsideration and withdrawal of the outstanding prior art rejections. An early Notice of Allowance is earnestly solicited.

Respectfully submitted,

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